

Docket No. 1999P07811US01  
60,426-047

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: McLean  
Serial No.: 09/656,808  
Group Art Unit: 2837  
Filed: September 7, 2000  
Examiner: E. San Martin  
For: Tuned Helmholtz Resonator Using Cavity Forcing

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#17 / Response  
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RESPONSE

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

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This is in response to the Office Action mailed on May 27, 2003 (Paper No. 16).

REMARKS

Claims 2, 4-12, and 14-20 are presently pending in the application. Claim 8 is an independent apparatus claim, and claim 15 is an independent method claim. All claims are rejected under §103 over Geddes in view of Brackett.

The Examiner has responded to Applicant's last response by making two arguments: 1) Brackett is not non-analogous art because both references are directed to the same problem, which is to attenuate noise in an exhaust, and 2) although the motivation is not expressly articulated, the references as a whole teach Applicant's invention.

With respect to the Examiner's first argument, nowhere does the Applicant argue that the reference are non-analogous art. Rather, Applicant is pointing out that the combination is flawed. Geddes is the base reference, which the Examiner is modifying with Brackett. The

PTO/SB/97 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

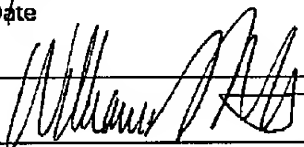
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09/656,808  
Request for Reconsideration

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<b>Fax Number:</b>	703 872 9319	<b>At:</b>	Carlson, Gaskey & Olds
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